GROSS MARGARET A
78 GEORGETOWN 4066

EXCISE

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ACTION SCS-06
INFO OCT-01 ARA-15 ISO-00 CA-01 L-03 H-02 JUSE-00
FBIE-00 USSS-00 DODE-00 CIAE-00 INR-10 NSAE-00
PA-02 TRSE-00 SY-05 CG-00 DOTE-00 SSO-00 INRE-00
/045 W

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O R 012100Z DEC 78
FM AMEMBASSY GEORGETOWN
TO SECSTATE WASHDC IMMEDIATE 9307
INFO AMEMBASSY PANAMA
AMEMBASSY BRIDGETOWN
UNCLAS GEORGETOWN 4066
E.O. 12065: N/A
TAGS: CASC, OREP (RYAN, LEO) GY
SUBJECT: CUSTODY OF VESSEL "ALBATROSS II"
1. SUBJECT VESSEL REPORTED TO BE IN BRIDGETOWN WITH PT
MEMBERS [redacted] AND [redacted] ON BOARD.
SHIPPING AGENT HERE HAS INFORMED EMBASSY THAT VESSEL IS
REGISTERED IN PANAMA (#7941 PEXT) AND THAT REGISTERED OWNER
IS A PANAMANIAN CORPORATION. CONNECTION BETWEEN CORPORATION
AND PT HAS NOT BEEN ESTABLISHED.
2. QUESTION HAS ARISEN REGARDING POSSIBILITY OF ACTION BY
US CONSUL, BRIDGETOWN, TO ESTABLISH US CUSTODY OVER VESSEL.
SUCH ACTION DOES NOT APPEAR TO BE AUTHORIZED BY 22 USC SEC. 1175
SINCE VESSEL IS NOT PART OF ESTATE OF DECEASED US CITIZEN
DOMICILED WITHIN BARBADOS AT TIME OF DEATH. ARTICLE 18 OF
CONSULAR TREATY (3 UST 3426) DOES NOT REQUIRE THAT DECEDENT
BE DOMICILED WITHIN BARBADOS, AND THUS MAY PROVIDE INDEPENDENT
BASIS FOR CONSULAR CUSTODY, ASSUMING CONNECTION BETWEEN
REGISTERED OWNER AND PT CAN BE ESTABLISHED. SITUATION IS
FURTHER COMPLICATED BY FACT THAT VESSEL CANNOT BE IDENTIFIED
AS PART OF THE PERSONAL ESTATE OF ANY INDIVIDUAL US CITIZEN.
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SIMILAR DIFFICULTY EXISTS IN GUYANA REGARDING "ORGANIZATIONAL
PROPERTY" OF PT. EMBASSY HAS ATTACHED CONSULAR SEALS TO SUCH
PROPERTY IN ORDER TO PRESERVE ANY CLAIM WHICH US MAY HAVE ON
BEHALF OF INDIVIDUAL US CITIZENS.
2. DEPARTMENT IS REQUESTED TO DETERMINE WHETHER EMBASSY
BRIDGETOWN SHOULD BE INSTRUCTED TO CONSULT WITH GOP
REGARDING ATTACHMENT OF CONSULAR SEALS TO THE "ALBATROSS", AND
POSSIBILITY OF DETENTION OF VESSEL BY GOB.
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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [signature] DATE 3/2/81
PORTIONS DENIED AS INDICATED